



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

**GAIL FARBER, Director**

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

February 01, 2011

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

26 February 1, 2011

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION  
OF SLOPE AND DRAINAGE EASEMENTS NORTH OF 1ST STREET  
IN THE UNINCORPORATED COMMUNITY OF EAST LOS ANGELES  
(SUPERVISORIAL DISTRICT 1)  
(3 VOTES)**

**SUBJECT**

This action will allow the County of Los Angeles to vacate the easements for slope and drainage purposes north of 1st Street in the unincorporated community of East Los Angeles, which are no longer needed for public use. The vacation has been requested by the underlying property owner in order to provide improvements to the property as part of the construction of the Villa Serena Family Apartments.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easements for slope and drainage purposes north of 1st Street in the unincorporated community of East Los Angeles have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation, and that they may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.
3. Find that the easements for slope and drainage purposes north of 1st Street in the unincorporated community of East Los Angeles have been determined to be excess by the easement holder, the County of Los Angeles, and there are no other public facilities located within the easements and that

they may, therefore, be vacated pursuant to Section 8333(c) of the California Streets and Highways Code.

4. Adopt the Resolution of Summary Vacation.

5. Upon approval, authorize the Department of Public Works to record the certified original resolution with the office of the Los Angeles County Registrar Recorder/County Clerk.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate the easements for slope and drainage purposes north of 1st Street (Easements) in the unincorporated community of East Los Angeles, since they no longer serve the purpose for which they were dedicated and are not required for public use.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easements will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

#### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The vacation processing fee has been waived, as this is a Community Development Commission (CDC) initiated action; CDC is the underlying property owner. The waiver of the fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), as prescribed in Section 22.60.135 of the Los Angeles County Code and Section 8321(f) of the California Streets and Highways Code.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The slope easement area to be vacated contains approximately 1,486 square feet and the drainage easement area to be vacated contains approximately 1,906 square feet. The areas are shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8333(a) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

The California Streets and Highways Code Section 8333(c) provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has been superseded by relocation or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

The County's interest in the Easements was acquired by Document No. 80-417033, recorded on April 24, 1980, Document No. 82-928269, recorded on September 13, 1982, and Document No. 20072278815, recorded on October 3, 2007, all of Official Records, in the office of the Los Angeles County Registrar-Recorder/County Clerk.

AMCAL Serena Fund, L.P., requested the vacation of the easements on behalf of the Community Development Commission to provide improvements to the property as part of the construction of the Villa Serena Family Apartments. The vacation of the Easements provides additional building area.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easements. Your action will result in the property being unencumbered by the Easements and available to the property owner for use without restriction of the Easements.

### **ENVIRONMENTAL DOCUMENTATION**

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State of California CEQA Guidelines which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action will allow for additional property taxes through the vacation of the unnecessary slope and drainage easements.

### **CONCLUSION**

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER  
Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset  
Management)  
Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office

**RESOLUTION OF SUMMARY VACATION  
OF SLOPE AND DRAINAGE EASEMENTS NORTH OF 1ST STREET**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES  
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of easements for slope and drainage purposes (hereinafter referred to as the Easements) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easements, north of 1st Street, are located in the unincorporated community of East Los Angeles in the County of Los Angeles, State of California.
2. The Easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easements have been determined to be excess, and there are no other public facilities located within the easements.
4. The Easements are hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.
5. The Department of Public Works is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easements will no longer be public easements.
8. From and after the date this resolution is recorded, the Easements will no longer constitute public service easements.

The foregoing resolution was on the 1<sup>st</sup> day of February, 2011, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN  
County Counsel

By

Deputy

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By

Deputy

GT:mr

P:\MPPUB\ADMIN\MARIA\1ST STREET RES ENCLOSURE.DOC



## **EXHIBIT A**

Project Name: **SLOPE AND DRAINAGE EASEMENT  
NORTH OF 1ST STREET 15-9VAC**

Includes: Parcel Nos. 15-9VAC.1, 15-10VAC  
15-11VAC, & 15-11VAC.1  
A.I.N. 5233-014-035 & 036  
T.G. 635-E6  
I.M. 144-217  
R.D. 142  
S.D. 1  
M0976101

### **LEGAL DESCRIPTION**

#### **PARCEL NO. 15-9VAC** (Vacation of drainage easement):

That portion of Lot 121 of Home Acre Tract, as shown on map recorded in Book 10, pages 154 and 155, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, described as Parcel 15-9D in a Final Order of Condemnation, had in Superior Court Case No. C 157 900, a certified copy of which was recorded on September 13, 1982, as Document No.82-928269, of Official Records, in the office of said Registrar-Recorder/County Clerk.

Containing: 953± square feet

#### **PARCEL NO. 15-10VAC** (Vacation of drainage easement):

That portion of Lot 122 of above-mentioned tract, described as Parcel 15-10DE.1 as reserved in deed to said county, recorded on October 3, 2007, as Document No.20072278815, of above-mentioned Official Records.

Containing: 280± square feet

#### **PARCEL NO. 15-11VAC** (Vacation of drainage easement):

That portion of Lot 66 of above-mentioned tract, described as Parcel 15-11D.1 in a Final Order of Condemnation, had in Superior Court Case No. C 157900, a certified copy of which was recorded on April 24, 1980, as Document No. 80-417033, of above-mentioned Official Records.

Containing: 673± square feet



## EXHIBIT A

### SLOPE AND DRAINAGE EASEMENT NORTH OF 1ST STREET 15-9VAC

**PARCEL NO. 15-11VAC.1** (Vacation of slope easement):

That portion of Lot 66 of above-mentioned tract, described as Parcel 15-11S.1 in a Final Order of Condemnation, had in Superior Court Case No. C 157900, a certified copy of which was recorded on April 24, 1980, as Document No. 80-417033, of above-mentioned Official Records.

Containing: 1409± square feet

**PARCEL NO. 15-9VAC.1** (Vacation of slope easement):

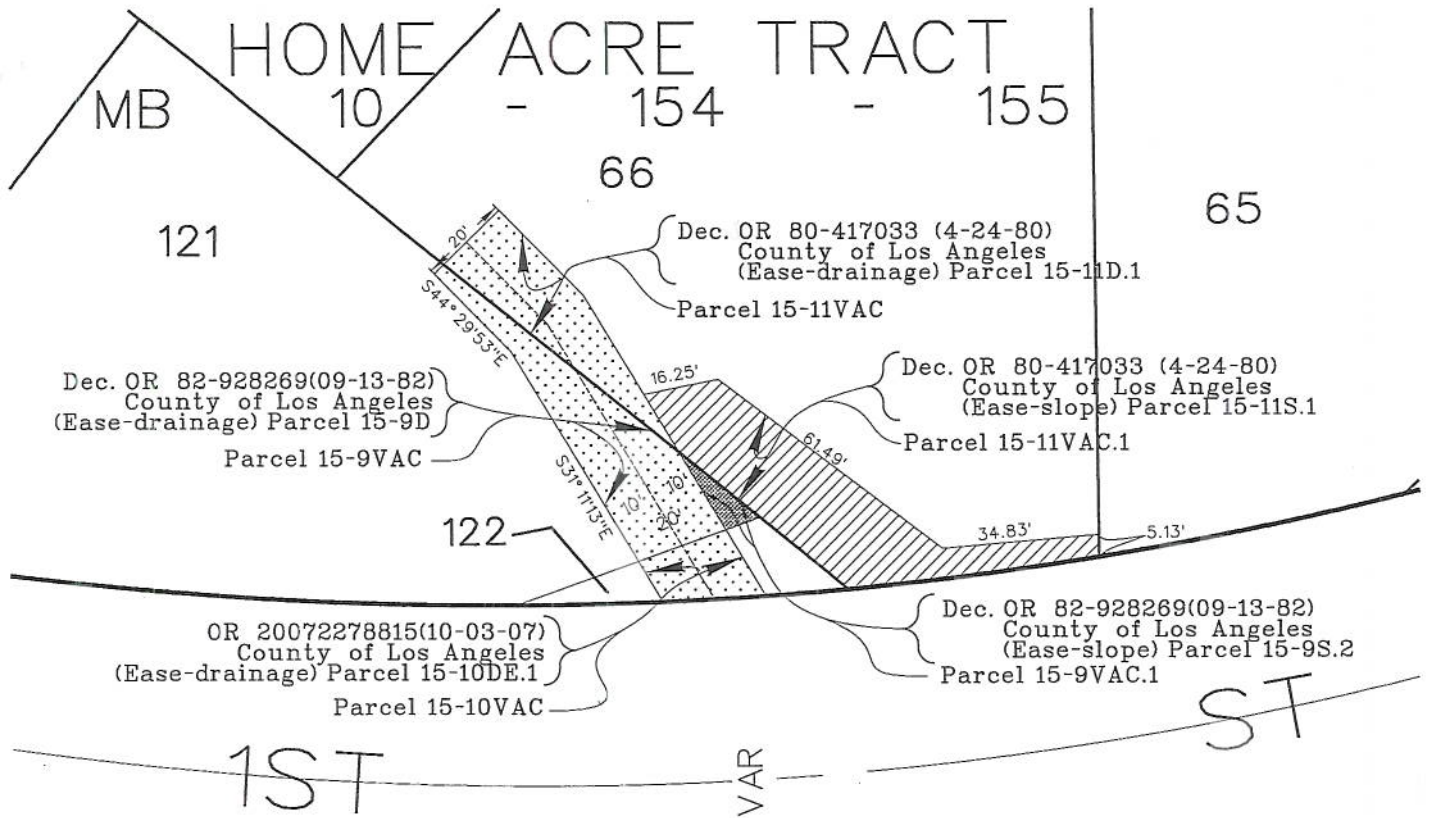
That portion of Lot 121 of above-mentioned tract, described as Parcel 15-9S.2 in a Final Order of Condemnation, had in Superior Court Case No. C 157 900, a certified copy of which was recorded on September 13, 1982, as Document No. 82-928269, of above-mentioned Official Records.

Containing: 77± square feet

APPROVED AS TO DESCRIPTION
<u>December 14, 2010</u>
COUNTY OF LOS ANGELES
By <u>[Signature]</u>
SUPERVISING CADASTRAL ENGINEER III
Survey/Mapping & Property Management Division

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.


RA:\C:\MyFiles\vacation projects\dept inquiry\1st Street\legal description-vacation.doc



## EXHIBIT B SUBJECT LOCATION

### LEGEND


Drainage easements to be vacated


 Parcel 15-9VAC  
 Total Area 953± s.f.

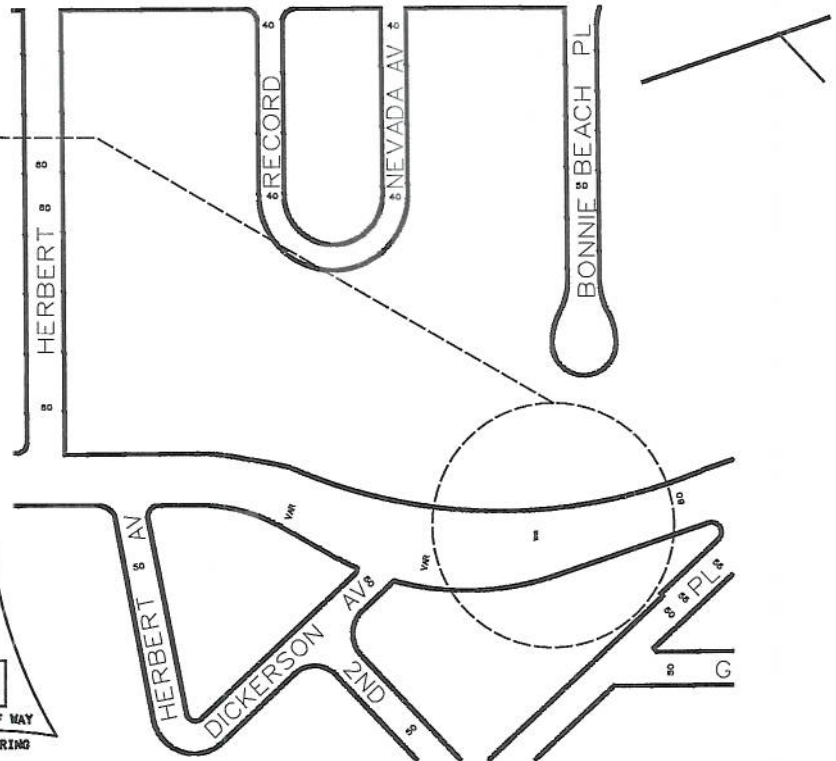
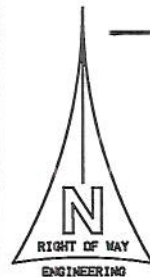
Parcel 15-10VAC  
 Total Area 280± s.f.

Parcel 15-11VAC  
 Total Area 673± s.f.

Slope easements to be vacated

 Parcel 15-9VAC.1  
 Total Area 77± s.f.

 Parcel 15-11VAC.1  
 Total Area 1409± s.f.



REVISIONS

1. 10/21/10

2.

3.

DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD.

RD.

A.I.N.

T.G.

1

142

5233-014-035 & 036

635-E6

SCALE

NONE

DATE

04/27/09

I.M.

114-217

SLOPE AND DRAINAGE  
 EASEMENTS N/O 1ST ST.

DRAWING NO.

M0976101